

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 1, 1984

ALL-COUNTY INFORMATION NOTICE I-53-84

TO: ALL COUNTY WELFARE DIRECTORS

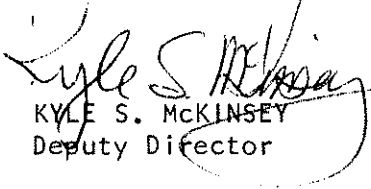
SUBJECT: COALITION OF CALIFORNIA WELFARE RIGHTS ORGANIZATIONS V. McMAHON
BEGINNING DATE OF AID REGULATIONS FOR AFDC-FG/U, AFDC-FC, RCA AND ECA PROGRAMS
REFERENCE:

This is to inform you that on May 23, 1984 a preliminary injunction was issued by Judge Ramirez of the Federal District Court in Sacramento, in the case of Coalition of California Welfare Rights Organizations v. McMahon. A copy of the Preliminary Injunction is attached.

The Preliminary Injunction prohibits the Department from enforcing the beginning date of aid regulations which went into effect April 1, 1984 to the extent they provide for a beginning date of aid later than the thirtieth day after application, if the applicant is eligible by the thirtieth day. In this case, plaintiffs are contending that the regulations violate federal law by providing for a beginning date of aid later than 30 days after the date of application in some cases.

The Preliminary Injunction applies to all applications in which aid is authorized on or after May 23, 1984. The Department intends to implement the order by All-County Letter as soon as possible. However, the Budget Act requires that such letters be submitted to the Department of Finance for approval prior to release. The All-County Letter will be issued as soon as approval is obtained. In the meantime, you should flag all cases in which the beginning date of aid is later than thirty days after application, if the applicant is eligible by that date.

If you have any questions, please contact Doris Keller, AFDC Management Consultant, at (916) 322-5330.


KYLE S. MCKINSEY
Deputy Director

Attachment

cc: CWDA

FILED

MAY 23 1984

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

COALITION OF CALIFORNIA)
WELFARE RIGHTS ORGANIZATIONS,)
et al.,)
Plaintiffs,)
v.)
LINDA McMAHON, et al.,)
Defendants.)

NO. CIV.S-84-445 RAR

PRELIMINARY INJUNCTION

Based on the Findings of Fact and Conclusions of Law
filed herewith, and good cause appearing therefor,

IT IS HEREBY ORDERED that defendants, their officers,
agents, servants, employees and attorneys, including officers
and employees of the county welfare departments, be, and the
same hereby are, enjoined for the duration of the above-entitled
action from enforcing the "Beginning Date of Aid" Regulations
applicable to the California Aid to Families with Dependent
Children Program effective April 1, 1984, in such a manner that

1 any applicant for benefits under that program is denied benefits
2 for a period in excess of thirty days after the date the appli-
3 cant submits a completed and signed application form, provided
4 that, by such thirtieth day after application the applicant has
5 met all eligibility conditions.

6 IT IS FURTHER ORDERED that the effect of the prelimi-
7 nary injunction be, and the same hereby is, stayed for a period
8 of ten days from the date of the filing of this Order, to pro-
9 vide the defendants with an opportunity to seek a further stay
10 from the United States Court of Appeals for the Ninth Circuit.
11 In the event that such further stay is not granted by the Court
12 of Appeals, then this stay shall automatically be dissolved and
13 the preliminary injunction shall become immediately and fully
14 effective.

15 IT IS FURTHER ORDERED that the defendants inform each
16 and every county welfare department in writing of this prelimi-
17 nary injunction. Such information shall be provided to each and
18 every county welfare department no later than the close of busi-
19 ness of the eleventh day after the filing of this Order, provid-
20 ed that the Court of Appeals does not grant the defendants a
21 further stay pending appeal in the interim. The defendants may
22 select whatever form of transmission of this information they
23 deem best, provided, however, that they obtain proof of the

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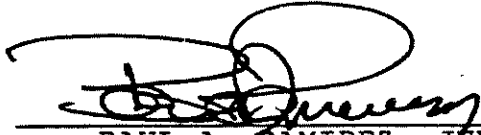
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1 timely receipt of the information by each and every county wel-
2 fare department.

3 IT IS SO ORDERED.

4 DATED: May 23, 1984.

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8 RAUL A. RAMIREZ, JUDGE
9 UNITED STATES DISTRICT COURT
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